



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS : Lipkowski and Carr  
ASSIGNEE : New England Medical Center  
SERIAL NUMBER : 09/988,792 EXAMINER : V.L. Ford  
FILING DATE : November 20, 2001 ART UNIT : 1645  
FOR : NOVEL ANTIMICROBIAL AGENTS

July 26, 2004  
Boston, Massachusetts

**Mail Stop AF**  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**Amendment and Supplemental Response**

This filing is in response to the Advisory Action mailed July 2, 2004, and in further response to the Final Office Action ("Final Action") mailed January 26, 2004, in the above-identified application. A Notice of Appeal is being filed herewith.

Applicant believes that the shortened statutory period for reply expired on July 2, 2004, the date the Advisory Action was mailed, and not at 3 months from the mailing date of the final rejection, as provided in the Advisory Action. Applicants' response to the Jan. 26, 2004, Final Office Action was mailed Mar. 26, 2004, i.e. within the 2 month shortened term that resets the shortened statutory response period to the date that the Advisory Action is mailed. *See*, MPEP §706.07(b). This response to Advisory Action is being mailed within one month of the Advisory Action and prior to the 6-month date after the Final Office Action. Therefore, this response is timely filed prior to July 26, 2004, with a one-month extension of time and fee under 37 C.F.R. §1.17(a)(1).

The Commissioner is hereby authorized to charge any additional fees that may be due, or to credit any overpayment, to Deposit Account No. 50-0311, Ref. No. 18475-025.

Amendments to the claims and claims as pending are provided on page 2.

Remarks begin on page 4.